

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re the Application of:</b>	)	<b>Group Art Unit: 3731</b>
Stephen Porter	)	<b>Confirmation No.: 6462</b>
<b>Serial No.: 10/695,151</b>	)	<b>Examiner: Elizabeth Houston</b>
<b>Filed:</b> October 27, 2003	)	
<b>For:</b> VASO-OCCLUSIVE DEVICES WITH	)	
IN-SITU STIFFENING ELEMENTS	)	

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office amendment to the 37 CFR § 1.98(a)(2)(i) that eliminates the requirement for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application. Copies of other cited references are enclosed.

Applicant would like to bring to the attention of the Examiner that co-pending U.S. Patent Application S.N. 10/694,927 (US Pub 2005-0090856) claims subject matter that is similar to the present application. References currently cited in this supplemental IDS were previously cited in said application.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

## CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below via the USPTO EFS-Web filing system.

*December 12, 2006* *Martiza Kidd*  
 Date of Deposit *Martiza Kidd*

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- Credit card payment by USPTO-EFS in the amount of \$180.00 is charged herein.
- Please charge \_\_\_\_\_ to Deposit Account No. **50-1105** for the above fee(s).
- The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Vista IP Law Group LLP Deposit Account No. **50-1105**.

Respectfully submitted,  
VISTA IP LAW GROUP LLP

Dated: 12-12-06

By: David T. Burse  
David T. Burse  
Reg. No. 37,104

Customer Number  
**41696**  
PATENT TRADEMARK  
OFFICE

VISTA IP LAW GROUP LLP  
12930 Saratoga Avenue, Suite D-2  
Saratoga, CA 95070  
Phone (408) 777-2905  
Fax (408) 877-1662

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet:

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## Complete if Known

Application Number	10/685,151
Filing Date	October 27, 2003
First Named Inventor	Stephen C. Porter
Group Art Unit	3731
Examiner Name	Elizabeth Houston
Attorney Docket Number	BSC/NV 03-0116 (US01)

## U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1.	2005/0090866		Porter	4-26-2005	

## FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T?
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	2.	WO	2002/096272		Scimed Life Systems, Inc.	12-05-2002		
	3.	WO	2003/015840		Scimed Life Systems, Inc.	02-27-2003		

## OTHER DOCUMENTS -- NON PATENT LITERATURE

Examiner Initials *	Cite No. *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T?
	4.	PCT International Search Report for PCT/US2004/033329, Applicant: Scimed Life Systems, Inc., Form PCT/ISA/210 and 220, dated February 23, 2004 (8 pages)	
	5.	PCT Written Opinion of the International Search Authority for PCT/US2004/033329, Applicant: Scimed Life Systems, Inc., Form PCT/ISA/237, dated February 23, 2005 (5 pages)	

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Unique citation designation number. <sup>3</sup> See attached Kind of U.S. Patent Documents. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.